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February 26, 2016

VIA ECF

The Honorable Roslynn R. Mauskopf
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

**RE: Moskowitz v. Forster
15 CV 5265 (RRM) (LB)**

Dear Judge Mauskopf:

I represent the plaintiff in the above matter. Plaintiff responds to defendant Forster & Garbus' letter concerning its intention to want to move forward with a motion to dismiss. Based upon the pre-motion conference before Your Honor, I attempted as best I could to draw reasonable inferences from Your Honor's candid remarks. Therefore, we did not include Portfolio Recovery Associates in the amended complaint based upon the issue of the release. We filed a separate action with plaintiff Espinosa against Forster & Garbus and Encore and Midland (15 CV 464) (MKB) and still believe that the matter should be consolidated with this one, or at least be deemed related and heard before Your Honor.

Concerning the defendant arguments, we modified the amended complaint slightly to reflect what potentially could have been a concern of Your Honor with the initial portion of the quoted violative language. We incorporate our arguments from our initial response letter to Forster's initial application for leave to move to dismiss.

Plaintiff submits that the Court's deciding defendant's proposed motion to dismiss will give an indication as to how the matter will proceed. Plaintiff requests thirty days to respond to defendant's motion.

Lastly, we request that the caption be modified reflecting the caption of the amended complaint. Thank you for the Court's consideration of the foregoing.

Yours faithfully,

/s/

Adam J. Fishbein

Cc: Counsel of Record